

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: MAY 14, 2009**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: M. MARGO WHEELER**

☐ Consent ☒ Discussion

**SUBJECT:**

**SUP-34016 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CLEAR WIRELESS, LLC - OWNER: LXT4, LLC** - Request for a Special Use Permit FOR A PROPOSED 80-FOOT TALL WIRELESS COMMUNICATION FACILITY, STEALTH DESIGN (MONOPALM) approximately 560 feet north of Meadows Lane and approximately 530 feet east of Decatur Boulevard (APN 139-31-110-001), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian)

**C.C.: 06/17/2009**

**IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**

**3**

**City Council Meeting**

**0**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**

**2**

**City Council Meeting**

**0**

**RECOMMENDATION:**

**APPROVAL**

**BACKUP DOCUMENTATION:**

1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest/Support Postcards
7. Submitted after Final Agenda – Condition Confirmation Letter and Protest Postcards

Motion made by RICHARD TRUESDELL to Deny

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1

MICHAEL E. BUCKLEY, VICKI QUINN, STEVEN EVANS, GLENN TROWBRIDGE, RICHARD TRUESDELL, BYRON GOYNES; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-KEEN ELLSWORTH)

Minutes:

CHAIR TROWBRIDGE declared the Public Hearing open.

DOUG RANKIN, Planning and Development, indicated the proposed cell tower complies with the Title 19 requirements, including the Residential Adjacency Standards. The use would be compatible and harmonious with the surrounding uses, and staff recommended approval.

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SHANE HENNESSY-YORK, 7030 Smoke Ranch Road, appeared on behalf of the applicant and explained that the facility would be closest to the 95 Interchange and 524 feet from Meadows Lane.

COMMISSIONER TRUESDELL stated that this 80-foot palm tree is actually not going to be of stealth design nor does this area have exciting architecture. He suggested staff and the Commission readdress issues with stealth towers, as in his opinion, the issue has exacerbated. There are other alternatives, including schools, which can utilize these cell towers. CHAIR TROWBRIDGE agreed with the Commissioner and wondered if another design would suffice.

MR. HENNESSY-YORK responded that this facility allows for co-locations at 60 to 70 feet. An 80-foot pole may not be as appealing to the eye, but the engineer has determined that the 80-foot pole is needed to accommodate service for their clients. MARGO WHEELER, Planning and Development, clarified that light poles and flag poles are acceptable. However, in this case, the light pole would not work due to the height.

MR. HENNESSY-YORK noted that approximately three years ago, the School District opened a bidding process, whereby none of the carriers met all of the conditions, due to one requirement being the bids had to include five sites or more per carrier.

COMMISSIONER EVANS agreed that better options could be explored, as carriers would probably take a more innovative approach and be more creative with their designs if the number of applications denied were to increase. MR. HENNESSY-YORK added that they are limited, given the budget crunch but are more than willing to discuss options in what could be better solutions.

COMMISSIONER QUINN recognized the subject area is deteriorating, and businesses are less enthused in being a part of this shopping center.

Subsequent to the vote, CHAIR TROWBRIDGE commented that with the existing school board and change in the economic climate, there could be a more favorable solution.

COMMISSIONER BUCKLEY viewed a location with a slim line pole on the property, which he believes has a better appearance than the palm tree design. In all fairness to the carriers, COMMISSIONER TRUESDELL felt that too much effort may have been made to lessen the visual impact from these towers and now a happy median has to be found.

CHAIR TROWBRIDGE declared the Public Hearing closed.